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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,646	12/05/2005	Nicolas Goujon	14.0211-PCT-US	5778
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Western Geco Intellectual Property Department PO Box 2469 Houston, TX 77252-2469				
			EXAMINER HUGHES, SCOTT A	
			ART UNIT 3663	PAPER NUMBER
			MAIL DATE 08/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/532,646

Applicant(s)

GOUJON ET AL.

Examiner

Scott A. Hughes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-31 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-19, drawn to a seismic cable.

Group II, claim(s) 20-31, drawn to a method of producing a seismic sensor cable.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Groups I and II are related as product and process of making.

Since the groups contain multiple species, there are multiple products and processes being claimed. This does not fall into one of the permitted combinations of different combinations of categories of inventions as set forth in PCT Rule 13.2. Furthermore, there is no special technical feature that defines a contribution which each of the inventions, considered as a whole, makes over the prior art (See US Patents 6333897, 6041282).

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

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The species are as follows:

Upon election of Group I, Applicant is required, in reply to this action, to elect a single species of the following to which the claims shall be restricted if no generic claim is finally held to be allowable:

A. Applicant is required to elect a single discloses species of the instruments which the sensor module houses (e.g. geophone only; geophone, hydrophone, and magnetometer only).

Upon election of a single species of A, Applicant is required, in reply to this action, to elect a single species of the following to which the claims shall be restricted if no generic claim is finally held to be allowable:

- a. The embodiment wherein the leads are optical leads only.
- b. The embodiment wherein the leads are electrical leads only.

Upon election a or b only, Applicant is required, in reply to this action, to elect a single species of the following to which the claims shall be restricted if no generic claim is finally held to be allowable:

- i. The embodiment wherein the cross section of the bundle of leads is cylindrical only.
- ii. The embodiment wherein the cross section of the bundle of leads is oval only.
- iii. The embodiment wherein the cross section of the bundle of leads is flat only.

Upon election of a i, ii, or iii only, Applicant is required, in reply to this action, to elect a single species of the following to which the claims shall be restricted if no generic claim is finally held to be allowable:

AA. Applicant is required to elect a single disclosed species of the stress member (e.g. stress member comprises aramide rope only; stress member comprises steel rope and utility cable only).

Upon election of a single species of AA, Applicant is required, in reply to this action, to elect a single species of the following to which the claims shall be restricted if no generic claim is finally held to be allowable:

- aa. The embodiment wherein the first sheath comprises a skin only.
- ab. The embodiment wherein the first sheath comprises a jacket only.
- ac. The embodiment wherein the first sheath comprises an extrusion matrix only.
- ad. The embodiment wherein the first sheath comprises a skin and jacket only.
- ae. The embodiment wherein the first sheath comprises a skin and extrusion matrix only.
- af. The embodiment wherein the first sheath comprises a jacket and extrusion matrix only.
- ag. The embodiment wherein the first sheath comprises a skin, jacket and extrusion matrix.

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Upon election Group II, Applicant is required, in reply to this action, to elect a single species of the following to which the claims shall be restricted if no generic claim is finally held to be allowable:

1. The embodiment wherein providing the anti-bonding solution comprises a metallic tape applied onto the cable core only.
2. The embodiment wherein providing the anti-bonding solution comprises impregnating the cable core with an anti-bonding agent only.

The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The claims are deemed to correspond to the species listed above in the following manner:

The different species elections for Group I are within individual claims where multiple species are cited. Therefore claims 1-19 read on the elected species, with applicant being required to elect the species to which the limitations within the claims will be

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restricted for the purpose of compact searching since there is a large number of possible species elections and therefore a large number of possible inventions to search.

Group II species:

1. 20-24 and 28-31.
2. 20, 25-31.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: same as given above for Groups I and II.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of

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record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103 (a) of the other invention.


Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott A. Hughes whose telephone number is 571-272-6983. The examiner can normally be reached on M-F 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on (571) 272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


SAH


JACK KEITH
SUPERVISORY PATENT EXAMINER